



Bill Title: Cigarette and Tobacco Licensing Administration

Bill Number: SHB 1435

Effective Date: July 26, 2009

Amends several sections of RCW 82.24 and RCW 82.26

Background:

Persons selling cigarettes or tobacco products in this state are required to hold either a wholesaler or retailer cigarette license or a distributor or retailer tobacco products license (for all tobacco products other than cigarettes) through the Department of Licensing, Master License Service. A criminal background check is required for a cigarette wholesaler and a tobacco distributor license.

The Washington State Liquor Control Board (WSLCB) is charged with enforcing the tax on tobacco products provisions. The WSLCB's Tobacco Tax Enforcement Unit was formed in 1997 to enforce assessment of unpaid tobacco taxes for state collection by the Washington State Department of Revenue. The Tobacco Tax Enforcement Unit ensures that people who sell cigarettes and tobacco in Washington are properly licensed, have paid the appropriate taxes, and do not sell cigarettes to persons under 18 years of age.

Summary:

The WSLCB is given the administrative authority, previously vested in the Department of Revenue, to approve, deny, suspend, or revoke retail, wholesaler, or distributor cigarette and tobacco products licenses. A criminal background check is now required for a retailer, wholesaler, and distributor license. The WSLCB may consider any prior criminal conduct of the applicant, including an administrative violation history record with the WSLCB. If the WSLCB makes an initial decision to deny a license or renewal, or suspend or revoke a license, the applicant or licensee may request a hearing under the Administrative Procedure Act.

Cigarette and tobacco licenses must be exhibited in the place of business for which they are issued and in the manner currently required for the display of a master license.